

Robinson Brod Leinwand Greene Genovese & Gluck P.C.  
875 Third Avenue  
New York, NY 10022-0123  
(212) 603-6345  
Steven B. Eichel, Esq.

Quilling, Selander, Lownds, Winslett, & Moser, P.C.  
2001 Bryan Street, Suite 1800  
Dallas, TX 75201  
(214) 871-2100  
Linda S. LaRue, Esq.

Attorneys for Defendants Samuel-David Associates, Ltd.,  
Ann M. Olesky, David E. Olesky, and Samuel J. Olesky

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK  
SECURITIES INVESTOR PROTECTION CORPORATION,**

Plaintiff-Applicant,

-v-

**BERNARD L. MADOFF INVESTMENT SECURITIES LLC,**

Defendant.

In re:

**BERNARD L. MADOFF,**

Debtor.

**IRVING H. PICARD, Trustee of the Liquidation of Bernard L.  
Madoff Investment Securities LLC,**

Plaintiff,

-v-

**SAMUEL-DAVID ASSOCIATES, LTD.; NTC & Co. LLP, as  
former custodian of an Individual Retirement Account for the  
benefit of Ann M. Olesky; ANN M. OLESKY, individually and in  
her capacity as General Partner of Samuel-David Associates, Ltd.;  
DAVID E. OLESKY, individually and in his capacity as a Limited  
Partner of Samuel-David Associates Ltd.; and SAMUEL J.  
OLESKY, individually and his capacity as a Limited Partner of  
Samuel-David Associates, Ltd.,**

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04453 (SMB)

**DECLARATION OF STEVEN B. EICHEL IN SUPPORT OF MOTION OF SAMUEL-DAVID  
ASSOCIATES, LTD., ANN M. OLESKY, DAVID E. OLESKY, AND SAMUEL J.  
OLESKY TO DISMISS THE COMPLAINT OR ALTERNATIVELY, TO STAY PROCEEDING**

I, Steven B. Eichel, declare pursuant to 28 U.S.C. §1746, declare as follows:

1. I am a partner with the firm of Robinson Brog Leinwand Greene Genovese & Gluck PC, counsel to defendants Samuel-David Associates, Ltd., Ann M. Olesky, David E. Olesky, and Samuel J. Olesky (collectively, the “Defendants”). I submit this declaration in support of the Defendants’ Motion to Dismiss the Complaint or Alternatively, to Stay Proceeding (“Motion”).

2. Attached as **Exhibit A** is a true and correct copy of the Trustee’s Compliant filed in the above-captioned Adversary Proceeding against the Defendants.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 24, 2014 in New York, New York.

/s/ Steven B. Eichel  
Steven B. Eichel